

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the comments set forth fully below. Claims 1-12 were pending. Within the Office Action, Claims 1-12 have been objected to. By the above amendment, Claims 1, 3, 5-7, 11 and 12 have been amended. Accordingly, Claims 1-12 are now pending.

Objections to the Drawings

Within the Office Action, Figure 1 is objected to for lacking a legend such as "Prior Art". By the above amendments to the drawings, Figure 1 has been amended to include the legend "Prior Art".

Objections To The Claims

Within the Office Action, Claims 1-12 have been objected to because of certain informalities.

Claim 1:

- a. Within the Office Action, it is stated that the language in line 5 "and away longitudinal thereof from each other" is confusing. By the above amendment, this language in Claim 1 has been amended to "arranged longitudinally."
- b. Within the Office Action, it is stated that the language in lines 7 and 8 "away longitudinal thereof from each other" is idiomatically incorrect. By the above amendment, this language in Claim 1 has been amended to "arranged longitudinally."
- c. Within the Office Action, it is stated that the language in line 8 "each of which there is penetrated" is grammatically and idiomatically incorrect. By the above amendment, this language in Claim 1 has been amended to "through each of which a fastening member is inserted and"
- d. Within the Office Action, it is stated that the language in line 10 "and in which" does not clearly reference its antecedent. By the above amendment, this language has been deleted.
- e. Within the Office Action, it is stated that the language in lines 10-12 "and in which . . . corresponding ones in the scale member" is idiomatically confusing. By the above amendment, this language in Claim 1 has been amended to "the scale member being housed in

said case member and fixed such that the fixing holes register with the corresponding fixing holes in the scale member.”

f. Within the Office Action, it is stated that the language in line 14 “the machine with the sensor” is idiomatically confusing. By the above amendment, this language in Claim 1 has been amended to “of the machine, with a sensor.”

g. Within the Office Action, it is stated that the language in lines 14 and 15 “the position signal carrying area” does not properly refer to its antecedent in line 4. By the above amendment, this language in Claim 1 has been amended to “the position signal region” to properly refer to its antecedent.

h. Within the Office Action, it is stated that the language in line 15 “which detects” is confusing because it is unclear as to whether the detector or the sensor is the antecedent of “which.” By the above amendment, this language in Claim 1 has been amended to “wherein the sensor.”

i. Within the Office Action, it is stated that “travels” in line 15 should be “travel.” By the above amendment, this change has been made in Claim 1.

j. Within the Office Action, it is stated that the language in line 17 “being to be fixed” is grammatically incorrect. By the above amendment, this language in Claim 1 has been amended to “to be fixed.”

k. Within the Office Action, it is stated that the “penetrated” in lines 8 and 18 should be “inserted.” By the above amendment, this change has been made in Claim 1.

Claim 3:

Within the Office Action, it is stated that “the inner surface” and “the lateral portions” each lack antecedent basis. By the above amendment, this language in Claim 3 has been amended to “an inner surface of a lateral portion.”

Claim 5:

Within the Office Action, it is stated that the language “between opposite surfaces” makes the claim language confusing. By the above amendment, this language in Claim 5 has been amended to “between opposing surfaces” per the Examiner’s suggestion.

Claims 5 and 7:

Within the Office Action, it is stated that the specification provides no antecedent basis for enabling a reinforcing means. The "reinforcing means" is embodied by plate-shaped spacer members 36, as shown in Figure 8, and 41, as shown in Figure 10.

Claim 7:

Within the Office Action, it is stated that "either" in line 6 should be "each." By the above amendment this change has been made.

Claim 11:

Within the Office Action, it is stated that "penetrate" should be changed. By the above amendment, within Claim 11, "penetrate" has been replaced with "pass."


Claim 12:

Within the Office Action, the phrases "a second fixing means" and "a force-fit structure" have been objected to. By the above amendment, this language within Claim 12 has been amended to "a fixing means" and the phrase "a force-fit structure" has been deleted.

Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: November 29, 2004

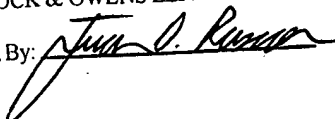
By: 
Jonathan O. Owens
Reg. No.: 37,902

Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 11-29-04 By: 

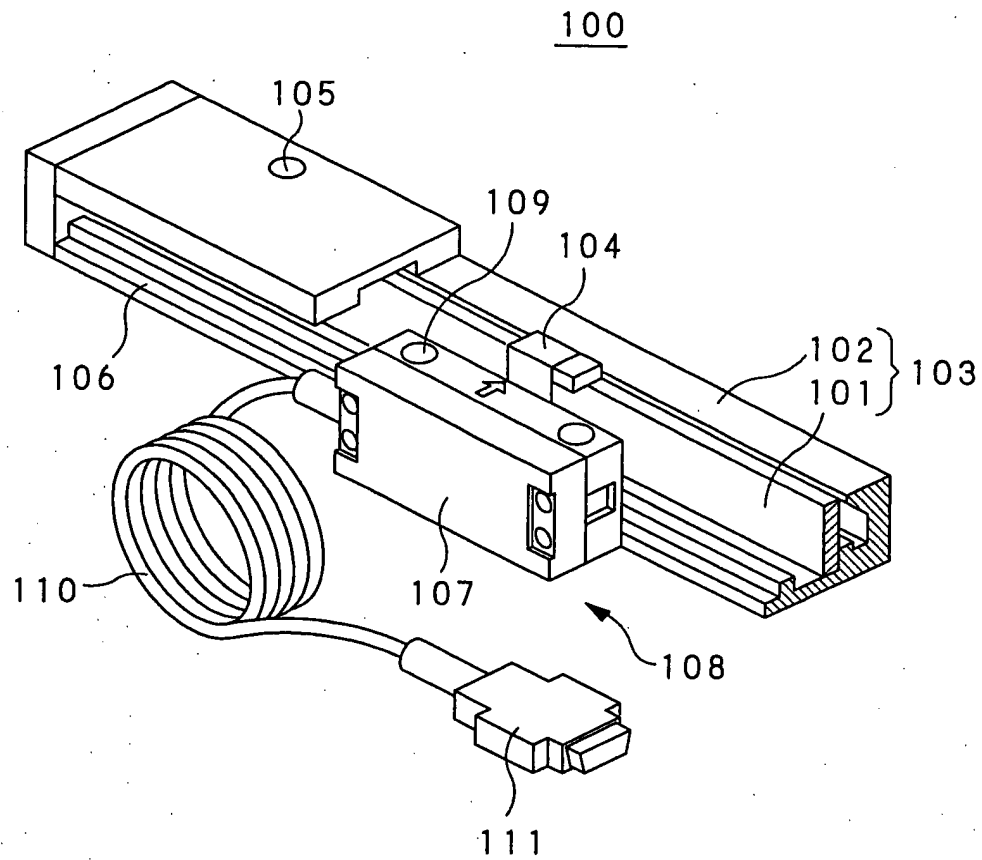


FIG. 1
(PRIOR ART)

Amendments to the Drawings:

Figure 1 is amended to include the legend "Prior Art". Attached is a marked-up version of the original Figure 1 with the legend "Prior Art" written in red ink.

Attachment: A marked-up version of the original Figure 1.
Replacement sheets for the corrected Figure 1.